

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GENE ALLEN,

Petitioner,

vs.

WARDEN LaGRAND, *et al.*,

Respondents.

2:11-cv-00180-PMP-LRL

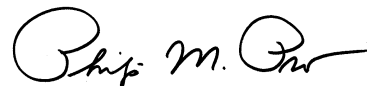
ORDER

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was submitted with the petition. When filing a petition for a writ of habeas corpus, petitioner must either submit the \$5.00 filing fee for habeas petitions or an application to proceed *in forma pauperis*.

IT THEREFORE IS ORDERED that this action is **DISMISSED** without prejudice to the filing of a new petition in a **new action**. The Clerk of the Court shall enter judgment accordingly.

IT FURTHER IS ORDERED that the Clerk of the Court shall send petitioner two copies of an *in forma pauperis* application form for a prisoner, one copy of the instructions for same, two copies of a blank 28 U.S.C. § 2254 habeas petition form, and one copy of instructions for the same.

DATED: February 9, 2011.



PHILIP M. PRO
United States District Judge